

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

ATTORNEYS AT LAW

FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VIRGINIA 22202 U.S.A.

(703) 413-3000

(703) 413-2220 FACSIMILE

OBLONPAT@OBLON.COM

WWW.OBLON.COM

PATENT, TRADEMARK AND COPYRIGHT LAW
AND RELATED FEDERAL AND ITC LITIGATION

Docket No.: 4544-011-25 DIV

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

RE: U.S. Application Serial No. 08/420,503

Applicant(s): MICHAEL D. QUINN ET AL.
Filing Date: April 12, 1995
For: THERMODILUTION CATHETER HAVING A SAFE, FLEXIBLE
HEATING ELEMENT
Group No. 3311
Examiner: NASSER

SIR:

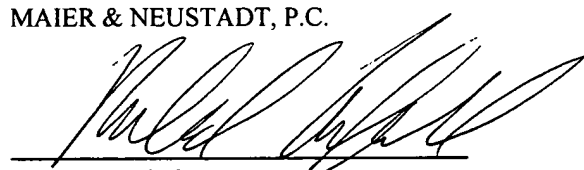
Attached hereto for filing are the following papers:

REMARKS

Our check in the amount of \$-0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Charles L. Gholz, Esq.
Registration No. 26,396
Attorney of Record
Richard A. Neifeld
Registration No. 35,299

NORMAN F. OBLON
MARVIN J. SPIVAK
C. IRVIN McCLELLAND
GREGORY J. MAIER
ARTHUR I. NEUSTADT
RICHARD D. KELLY
JAMES D. HAMILTON
ECKHARD H. KUESTERS
ROBERT T. POUS
DAVID J. KERA
CHARLES L. GHOLZ
VINCENT J. SUNDERDICK*
WILLIAM E. BEAUMONT
STEVEN B. KELBER*
ROBERT F. GNUSE
JEAN-PAUL LAVALLEY, PH.D.
JEFFREY H. KAUFMAN
BRIAN D. ANDERSON
ROBERTA S. BREN
JOHN H. WEBER
STEPHEN G. BAXTER, PH.D.
MARTIN M. ZOLTICK
ROBERT W. HAHN, PH.D.
RICHARD L. TREANOR, PH.D.
STEVEN P. WEIHROUCH
JOHN T. GOOLKASIAN*
MARC R. LABGOLD, PH.D.*
WILLIAM J. HEALEY, PH.D.*
RICHARD L. CHINN, PH.D.
STEVEN E. LIPMAN
CARL E. SCHUER
P. JAY HINES
JAMES J. KULBASKI
CATHERINE B. RICHARDSON*
RICHARD A. NEIFELD, PH.D.
J. DEREK MASON, PH.D.

GERALD J. MOSSINGHOFF
MILTON STERMAN
SAMUEL H. BLECH*
JOHN O. TRESANSKY*
ALTON D. ROLLINS
JAMES R. BOLER*
HARRIS A. PITLUCK*
RAYMOND F. CARDILLO, JR.
MASAYASU MORI†
SURINDER SACHAR
JONATHAN HUDIS
LINDSEY A. DODSON*
FRANK J. WEST*
SHARON E. CRANE, PH.D.*
BRADLEY D. LYTLE
JOHN W. CARPENTER
CHRISTINA M. GADIANO
KARL D. KOVACH*
MICHAEL H. JACOBS
THOMAS M. RIZZO, PH.D.*
JEFFREY B. MCINTYRE*
KATHLEEN COONEY-PORTER*
ANDREW M. OLLIS
MARGO LIVESAY, PH.D.*
FREDERICK D. VASTINE, PH.D.*
PAUL E. RAUCH, PH.D.*
MICHAEL R. CASEY, PH.D.*

* BAR MEMBERSHIP OTHER
THAN VIRGINIA
* REGISTERED PATENT AGENT
† JAPANESE BENRISHI

97 NOV 25 PM 12:37
GROUP 330
RECEIVED

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :
MICHAEL D. QUINN ET AL. : GROUP ART UNIT: 3311
SERIAL NO. 08/420,503 :
FILED: APRIL 12, 1995 : EXAMINER: NASSER
FOR: THERMODILUTION CATHETER HAVING
A SAFE, FLEXIBLE HEATING ELEMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

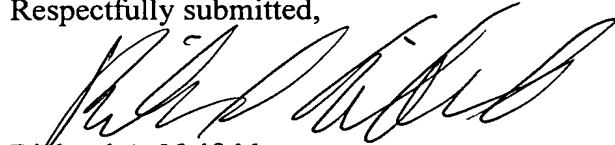
Please enter the following remarks.

REMARKS

Examiner Nasser contacted the undersigned on November 24, 1997 stating that the subject matter defined by claim 61 was not supported by the specification and requesting authorization to amend paragraph d(ii) in claim 61 to recite "and at least one lumen associated with", in order to overcome that problem.

The undersigned authorized Examiner Nasser to amend claim 61 accordingly for the purpose of expediting the declaration of an interference. The examiner indicated that the application would subsequently be sent to the Board for consideration of an interference.

Respectfully submitted,



Richard A. Neifeld
Registration No. 35,299
OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Fourth Floor
1755 Jefferson Davis Highway
Arlington, VA 22202
Tel: (703) 413-3000
Fax: (703) 413-2220

Of Counsel:

Charles L. Gholz, Esq.
Registration No. 26,395
Attorney of Record
OBLON, SPIVAK, MCCLELLAND,
MAIER & NEUSTADT P.C.
Fourth Floor
1755 Jefferson Davis Highway
Arlington, Virginia 22202
(703) 413-3000

Bruce M. Canter, Esq.
Registration No. 34,792
Attorney of Record
BAXTER HEALTHCARE CORPORATION
P.O. Box 15219
Irvine, CA 92713-5210
(714) 440-5345

I:\atty\LAN\clients\BAXTER\45440011\Remarks.97nov24.wpd
Print Date: November 25, 1997 (8:22AM) Edited by: dmd